

News from the FPPC



California Fair Political Practices Commission
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For Immediate Release: June 9, 2011

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FPPC Enforcement Decisions: June 9, 2011

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held on Thursday, June 9, 2011. Decisions are listed by category and include a brief summary of each case and the total amount of any administrative fine or fines in each case.

Additional information on each of the enforcement cases below can be found in the June agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website at least 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission and by the individuals and organizations subject to the fines, or the default decisions proposed to the commission. Exhibits in support of the stipulations and proposed default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC communications office at (916) 322-7761.

Campaign Reporting Violations

Edwin Jacinto, as a candidate for a seat on the Lynwood City Council in the November 3, 2009, general election, failed to timely file two pre-election campaign statements, due by September 24, 2009 and October 22, 2009. **\$6,000 fine.**

Jeff Stone, Jeff Stone for State Senate 2010, and Joseph Kuebler. Jeff Stone was an unsuccessful candidate for the California State Senate in the June 8, 2010, primary election. Jeff Stone for State Senate 2010 was his candidate controlled committee. At all relevant times, Joseph Kuebler was the treasurer for the committee. They failed to file online campaign reports disclosing contributions received of \$1,000 or more totaling \$84,052 during the 90-day period before an election. **\$16,000 fine.**

Larry Breitfelder, a board member for the San Diego County Otay Water District, failed to timely file the campaign short form covering the period of calendar year 2010 with the County of San Diego. **\$200 fine.**

David Brown, Brown for Council 2010 Committee, and Wayne Ivey. David Brown, City of Marina Councilman; Brown for Council 2010, his controlled committee; and Wayne Ivey, the committee's treasurer, failed to timely file a semi-annual campaign statement for the period ending December 31, 2010. **\$200 fine.**

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Sergio Calderon; Friends of Calderon for Director, and Billie Hernandez. Sergio Calderon, a board member for Water Replenishment District 4; Friends of Calderon for Director, his controlled committee; and Billie Hernandez, the committee's treasurer, failed to timely file a pre-election campaign statement for the period covering October 1, 2010, through October 16, 2010. **\$400 fine.**

Georges Marciano, Georges Marciano for Governor 2010, and Georges Marciano. Georges Marciano, a candidate for Governor; Georges Marciano for Governor 2010, his controlled committee; and Georges Marciano as his committee's treasurer, failed to timely file two semi-annual reports covering the periods July 1, 2009, through December 31, 2009, and January 1, 2010, through June 30, 2010, with either the Secretary of State's office (both the paper and the electronic version) or the County of Los Angeles. **\$1,200 fine.**

Joseph Messina, Committee to Elect Joseph Messina, and R.J. Kelly, Treasurer. Joseph Messina, a William S. Hart High School District Board member and candidate; Committee to Elect Joseph Messina, his controlled committee; and R.J. Kelly, the committee's treasurer, failed to timely file one pre-election and one semi-annual campaign statement, for the reporting periods ending December 31, 2007, and December 31, 2008. **\$400 fine.**

Ronald C. Smith, Friends of Ron Smith, and Ronald C. Smith. Ronald C. Smith, a candidate for West Basin Municipal Water District; Friends of Ron Smith, his controlled committee; and Ronald C. Smith as his committee's treasurer, failed to timely file one semi-annual report covering the period January 1, 2010, through June 30, 2010, with the County of Los Angeles. **\$200 fine.**

Conflicts of Interest Violation

California law states that, absent an exception, a public official may not make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. The following official used his official position to influence a governmental decision in which he had a financial interest:

Louie Martinez was a Senior Project Manager for the City of Irvine. In or about October 2007 and July 2008, he accepted over-the-limit gifts (substantially discounted home landscaping services) from Artistic Maintenance, Inc. Also, in or about April 2008, he used his official position to influence a governmental decision in which he had reason to know that he had a financial interest. Specifically, he inspected civic center landscaping work performed by Artistic Maintenance, Inc., and based upon this inspection, he approved an invoice for payment of approximately \$86,000 to Artistic Maintenance, Inc. **\$8,000 fine.**

Statements of Economic Interests Violations

California law requires elected officials, certain board members and governmental employees, and consultants employed by governmental entities to complete and file Statements of Economic Interests (SEIs or Form 700s). SEIs serve a dual purpose: they make a filer aware of personal economic interests relative to a governmental decision, and they are an important disclosure document for the public and media. The following individuals failed to file their Statement of Economic Interests forms on time:

Marilyn Anderson, City of South Pasadena finance committee member, failed to timely file an assuming office and 2009 annual Statement of Economic Interests. **\$800 fine.**

Peter Arellano, a member of the South County Regional Wastewater Authority, failed to timely file a 2009 annual Statement of Economic Interests by the April 1, 2010, deadline. **\$400 fine.**

Rod Dowse, a Grenada Irrigation District board member for the County of Siskiyou, failed to timely file a 2009 annual Statement of Economic Interests covering the period January 1, 2009, through December 31, 2009, in. **\$200 fine.**

Jon Messick, Planning Commissioner for the County of Yuba, failed to timely file a 2008 annual Statement of Economic Interests. **\$200 fine.**

Erin O'Brien, a member of the Santa Clara County Social Services Advisory Commission, failed to timely file a 2009 annual Statement of Economic Interests by the April 1, 2010, deadline. **\$200 fine.**

Gale Simmons, a member of the Santa Clara County Child Abuse Council, failed to timely file a 2009 annual Statement of Economic Interests by the April 1, 2010, deadline. **\$200 fine.**

Julie Tumamait-Stenslie, a commissioner of the Native American Heritage Commission, failed to file a 2009 annual Statement of Economic Interests. **\$200 fine.**

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